

REMARKS

Reconsideration of the application is requested.

Claims 1-5 remain in the application. Claims 1-5 are subject to examination. Claim 1 has been amended.

Under the heading "Claim Rejections - 35 USC § 102" on pages 2 and 3 of the above-identified Office Action, claims 1-3 have been rejected as being fully anticipated by U.S. Patent No. 6,628,208 to Morozumi et al. (hereinafter Morozumi) under 35 U.S.C. § 102.

The rejection has been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the change is found on page 7, lines 12-15 of the specification of the instant application.

The invention of the instant application is a device for examining liquids, or more specifically for analyzing the liquids.

The subject matter of Morozumi relates to a temperature sensor. The temperature readings are either stored or radio transmitted to a base unit. The temperature readings are for

temperature control of air conditioning systems, quality maintenance of products and the like in an office, building or factory. In Morozumi a plurality of measuring devices each having a temperature sensor are disposed at various locations for measuring temperatures throughout a factory or similar installation. There are no teachings in Morozumi for examining or analyzing a liquid. More specifically, from the illustrated drawings of the measuring devices, it is highly unlikely that they are used for measuring a temperature of a liquid. This become clear from the type of temperature sensors 10, 20 shown in Figs. 1 and 2 of Morozumi. The temperature sensor 10 is based on a thermistor 11 which would be short circuited if immersed in a conductive liquid. The temperature sensor 20 shown in Fig. 2 also appears to electronically based and would most likely malfunction if the sensors is immersed in a liquid.

It is further noted that only a temperature sensor is taught in Morozumi. There are no teachings of a sensor for examining or analyzing a liquid.

In contrast, claim 1 of the instant application specifically recites "a device for examining liquids". Furthermore, claim 1 recites a "heating element" which is not taught in Morozumi because Morozumi is not concerned with examining or analyzing

a liquid (e.g. changing the temperature of the liquid under test and measuring certain parameters such as conductivity can tell you about various properties of the liquid). The Examiner is respectfully requested to identify the heating element in the sensor device for examining the liquid.

Further, claim 1 recites fluid channels for channeling the liquid under test to the sensor. Specifically, claim 1 recites a "sample receiving channel for channeling the liquid under test". There is no channel recited in Morozumi for channeling a liquid under test because Morozumi does not examine a liquid nor does Morozumi teach measuring a temperature of a liquid.

In summary, it is respectfully believed that the invention of Morozumi is not capable of examining a liquid including taking a temperature measurement of a liquid and the examiner is requested to withdraw the rejection.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

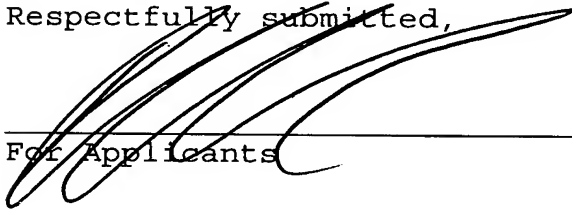
Appl. No. 10/668,084  
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Reply to Office Action of September 22, 2004

In view of the foregoing, reconsideration and allowance of claims 1-5 are solicited.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

  
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For Applicants

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REL:cgm

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